



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

APR 21 2006

Onis "Trey" Glenn III, Director
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, Alabama 36130-1463

Dear Mr. Glenn:

The U.S. Environmental Protection Agency (EPA) has completed its review of the revisions to the Alabama Department of Environmental Management (ADEM) Administrative Code, adopted by the Alabama Environmental Management Commission on August 12, 2005. The revisions were submitted to the EPA for review by letters dated March 17 and 27, 2006, and were certified by the State Attorney General as being duly adopted pursuant to State law on March 3, 2006.

The State's submittal includes changes to Chapter 335-6-10-.07 (Appendix A of the Toxic Pollutant Criteria Applicable to State Waters), Chapter 335-6-10-.11 (Water Quality Criteria Applicable to Specific Lakes), and Chapter 335-6-11-.02 (Use Classifications). The new and revised standards include the following: (1) water quality criteria for chlorophyll *a* for Demopolis Lake, Gainesville Lake, Lake Jackson, Coffeetown Lake, and Inland Lake, (2) correction of the cancer potency factor which was inadvertently revised by the State on December 3, 2004, (3) revision and clarification of segmentation listings in the State's designation of classified uses, and (4) other editorial and clarifying revisions made in various provisions of the standards. EPA approves all revisions to the State's water quality standards submitted on March 17 and 27, 2006. EPA is taking this action pursuant to the Agency's authority under section 303(c) of the Clean Water Act (CWA) and its implementing regulations at 40 CFR Part 131.

EPA's decision to approve all new and revised portions of Alabama's water quality standards is not subject to further consultation under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service because none of the revisions which were part of the August 12, 2005, adoption were determined to have an effect on Federally-listed species or their critical habitat.

EPA commends the efforts of ADEM in their continued commitment to water quality improvement through significant updates to their chlorophyll *a* criteria for lakes and clarification of use designations and toxics revisions. If you have questions

regarding EPA's approval, please contact me at (404) 562-9345 or have a member of your staff contact Lauren Petter at (404) 562-9272.

Sincerely,

A handwritten signature in cursive script that reads "Gail Mitchell".

for James D. Giattina, Director
Water Management Division

cc: Lynn Sisk, ADEM